

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

BETTY SHATSWELL,	)	
	)	
Plaintiff,	)	Case No. 6:16-CV-03447-JTM
	)	
vs.	)	Missouri Circuit Court for Taney County
	)	Cause No.: 16AF-CC00980
CRACKER BARREL OLD COUNTRY	)	
STORE, INC.	)	
	)	
Defendant.	)	<b><u>JURY TRIAL DEMANDED</u></b>

**ANSWER TO PLAINTIFF'S PETITION**

COMES NOW, Cracker Barrel Old Country Store, Inc., through its undersigned counsel, and for its Answer to Plaintiff's Petition, states as follows:

1. Defendant is without sufficient information to admit or deny the allegations contained in Paragraph 1 and therefore denies the allegations in Paragraph 1.
2. Defendant admits the allegations contained in Paragraph 2 of Plaintiff's Petition.
3. Defendant denies the allegations contained in Paragraph 3 of Plaintiff's Petition.
4. Defendant admits the allegations contained in Paragraph 4 of Plaintiff's Petition.
5. Defendant denies the allegations contained in Paragraph 5 of Plaintiff's Petition.
6. Defendant denies the allegations contained in Paragraph 5 of Plaintiff's Petition.
7. Defendant denies the allegations contained in Paragraph 7 of Plaintiff's Petition.
8. Defendant denies the allegations contained in Paragraph 8 of Plaintiff's Petition.
9. Defendant denies the allegations contained in Paragraph 9 of Plaintiff's Petition.
10. Defendant denies the allegations contained in Paragraph 10 of Plaintiff's Petition and each of its subparagraphs.

11. Defendant denies the allegations contained in Paragraph 11 of Plaintiff's Petition and each of its subparagraphs.

12. Defendant denies the allegations contained in Paragraph 12 of Plaintiff's Petition.

13. Defendant denies the allegations contained in Paragraph 13 of Plaintiff's Petition.

14. Defendant denies the allegations contained in Paragraph 14 of Plaintiff's Petition.

### **AFFIRMATIVE DEFENSES**

For further answer and for its affirmative defense, plaintiff's injury, if any, was directly caused or directly contributed to by her own comparative fault in that she failed to keep a careful lookout and said fault should bar and or diminish her damages, if any, herein.

WHEREFORE, having fully answered Plaintiff's Petition, Defendant prays for judgment in favor of Defendant and against Plaintiff, for its interest and costs as allowed by law, and for such other and further relief as the court deems just and proper.

/s/ Joseph R. Swift

Joseph R. Swift #37241

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*Attorney for Defendant*

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 1, 2016, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following: Randy J. Reichard, 901 St. Louis Street, 20<sup>th</sup> Floor, Springfield, MO 65806, *attorneys for plaintiff*.

/s/ Joseph R. Swift

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